

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

UNITED STATES OF AMERICA,

Plaintiff,

v.

WALTER C. SMITH, III,

Defendant.

Case No. 06-cr-30070-DRH

ORDER

HERNDON, District Judge:

On Motion (Doc. 20) of the United States, for good cause shown,¹ the Court hereby enters a Protective Order with respect to the disclosure of discovery materials, reports of witness interviews, and Jencks Act materials pursuant to **FEDERAL RULE OF CRIMINAL PROCEDURE 16(d)(1)**:

- A.** The attorney for the defendant must maintain any additional discovery materials, reports summarizing potential witness interviews, or Jencks Act materials, in his care, custody and possession at all times and shall not allow it to be copied or disseminated. The attorney for the defendant is permitted to allow the defendant to review the discovery materials, reports of witness interviews, and Jencks Act materials in his

¹ While the government filed a statement *ex parte* and under seal, there was nothing raised that was new or hasn't previously been raised in these proceedings prior hereto. This order is granted for the health and safety of witnesses.

presence in preparation for trial. The additional discovery materials, reports summarizing potential witness interviews, or Jencks Act materials shall not be left at any jail or any other location under circumstances which would permit them to be copied, distributed, or disseminated contrary to this Order;

- B.** The attorney for the defendant shall not include any additional discovery materials, reports summarizing potential witness interviews, or Jencks Act materials, or identify potential witnesses, in court filings.

IT IS SO ORDERED.

Signed this 2nd day of November, 2006.

/s/ David RHerndon
United States District Judge